REMARKS

Status of Claims

Claims 19-31, 37-58, and 74-77 are currently pending in this application. Claim 77 is allowed. The remaining claims, Claims 19-31, 37-58, and 74-76 stand rejected. Claims 19, 22-27, 37, 43-45, 47, 53, and 76 are amended in this paper and Claims 21 and 42 are canceled. Claims 1-18, 32-36, and 59-73 were previously canceled, therefore, Claims 19-20, 22-31, 37-41, 43-58, and 74-77 are currently pending and under examination.

Telephonic Interview with Patent and Tradmark Office

On April 25, 2005, Examiner Ahmed participated in a telephonic interview with Applications' undersigned representative regarding the Office Action mailed March 10, 2005. Applications' representative thanks Examiner Ahmed for the helpful suggestions.

Rejection of Claim 76 under 35 U.S.C. § 112, First Paragraph

Claim 76 was rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. It appears to be the position of the Patent and Trademark Office ("PTO") that Claim 76 includes two flake size features that, when combined, recite flake sizes outside the possible sizes recited in the specification.

Respectfully, Applicants maintain that in view of the amendment to Claim 76, this rejection is obviated. Accordingly, Applicants request that this rejection be withdrawn the this claim be allowed.

Rejection of Claims 19-31, 37-58, 74 and 75 Under 35 U.S.C. § 102(b)

Claims 19-31, 37-58, 74 and 75 are rejected under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 2,962,081 to *Dobry et al.* (*"Dobry"*). It appears that the PTO's position that there is a difference between the large "chips" that are distributed on top of the matrix layer and the fine "particles" that constitute the matrix in which the large chips are embedded. Apparently, because *Dobry's* fine particles can be made of linoleum or polymethylacrylates, the PTO is equating the flakes of Claim 19 with the fine particles of *Dobry*.

Claims 19 and 37 are amended herein to include the subject matter of Claims 21 and 42, respectively, except for "polymethacrylates." Respectfully, Applicants maintain that these amendments obviate this rejection. Consistent therewith, Claims 21 and 42 are canceled, Claims 22-27 are amended to depend from Claim 19, and Claims 43, 45, 47, and 53 are amended to depend from Claim 37.

Respectfully, Applicants maintain that *Dobry* does not teach or suggest every element of the claimed invention. Accordingly, Applicants request this rejection under 35 U.S.C. §102(b) be withdrawn and these claims be allowed.

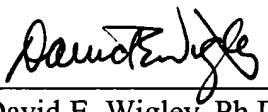
CONCLUSION

Applicants believe the Response herein places the claims in condition for allowance and such action is respectfully requested.

No additional fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required, or credit any overpayment, to Deposit Account Number 09-0528.

Early and favorable consideration is respectfully solicited. If the Examiner believes any informalities remain in the application that can be resolved by telephone interview, a telephone call to the undersigned attorney is requested.

Respectfully submitted,



September 12, 2005
Date

David E. Wigley, Ph.D.
Reg. No. 52,362

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company
P.O. Box 7037
Atlanta, GA 30357-0037
404-879-2435 (Telephone)
404-879-2935 (Facsimile)
Customer No.: **26158**

Docket No.: D078 1130.1 (41461.0015.1)